FILED
OCT -9 1997
RICHARD W. WIEKING
CLERK U.S. DISTRICT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

| | | |
|---|---|---|
| MIGUEL A. ASCARRUNZ<br>Plaintiff<br>v. | ) | No C960625VRW |
| BECHTEL POWER CORP.<br>Defendant | ) | **JUDGMENT**<br>Fed. R. Civ.<br>Pro. 58 |

ENTERED IN CIVIL DOCKET OCT 15 1997 19 ___

In accordance with this court's order of October 9, 1997, defendant's motion for summary judgement is GRANTED.

Richard W. Wieking
Clerk, United States District Court

Dated 10-9-97

"s/ w. Bailey
WYNETTE BAILEY, Deputy Clerk

# APPENDIX D

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

| | | |
|---|---|---|
| MIGUEL A. ASCARRUNZ | ) | No. 97-17212 |
| | ) | |
| Plaintiff-Appellant, | ) | DC# CV-96-00625-VRW |
| | ) | Northern California (San Francisco) |
| vs. | ) | |
| | ) | |
| BECHTEL POWER CORP. | ) | |
| | ) | |
| Defendant-Appellee. | ) | ORDER |
| | ) | |

Before:
SNEED, LEAVY, and TROTT,
Circuit Judges

Appellant's motion for reconsideration of this court is December 18, 1997 order dismissing the appeal for lack of jurisdiction is denied.

No motion for consideration, rehearing, clarification, stay of the mandate, or any other submissions shall be filed or entertained in this closed docket.

FILED
FEB 10 1998
CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

PSMiscMemos 1/98/sg